REMARKS

Applicant respectfully requests reconsideration of the application.

Claims 6-8 and 15-20 are cancelled without prejudice.

Interview Summary

Applicant thanks the Examiner for the courtesy of conducting a phone interview to discuss this application on June 4, 2007. In the interview, the Examiner advised the under signed representative, Joel Meyer, to address potentially confusing language in the claims. Applicant's representative discussed the difference between changing the pattern in which the watermark's message elements are embedded in contrast to selecting different embedding locations, each with the exact same pattern. The Examiner indicated that claim 9 might be patentable over the art of record if the section 112 issues could be addressed.

Rejections Under Section 112

Claims 2-8, 11-17 and 20 are rejected under 35 U.S.C. Section 112, first paragraph, as not being enabled by the specification.

Claims 2-8, 11-17 and 20 are rejected as being indefinite.

Applicant respectfully traverses the rejections under section 112. However, they are moot in view of the amendments above.

Prior Art Rejections

Claims 1 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,373,960 to Conover.

Regarding claim 1, the Office cites Conover's teaching about selecting different embedding sites. These embedding sites are selected so as to be mutually exclusive so that there is no collision among watermarks embedded in the content at different stages. Conover does not teach or suggest "the orientation specifies a mapping of elements of the message to a pattern of samples in the media content signal, and the receiver selects the orientation from a set of allowed orientations that each map the elements of the message to a different pattern of samples of the content signal" in combination with the other elements of claim 1. Conover requires that the embedding sites be communicated to the different devices or processes that will embed watermarks in the content to avoid embedding at the same sites. In contrast, claim 1 allows and deals with the possibility that overlapping watermarks will be embedded in the content by

different receivers by selecting different orientations that embed watermarks in different patterns, which enable decoding of the embedded messages of overlapping watermarks.

Regarding claim 10, it has been amended to incorporate the elements of claim 18. The Action does not specify how the art teaches the elements of claim 18. Moreover, the Examiner indicated that these elements might render the claims patentable over the art. Therefore, claim 18 and its dependent claims should now be in condition for allowance.

Claims 2-5, 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by, or in the alternative under 35 U.S.C. 103(a) as obvious over Conover.

Regarding claim 2, Conover does not teach or suggest, "wherein the orientation is randomly selected from the set of allowed orientations for each instance of embedding the digital watermark" in combination with the other elements of claim 2.

Claims 3-5 are patentable over Conover for at least the reasons provided for claims 1 and 2.

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conover in view of U.S. Patent Publication 20020027994 by Katayama et al. ("Katayama"). The combined teachings of these references do not teach all of the elements of claim 4 and 13 and specifically do not teach "the orientation specifies a randomly selected pattern of frequency bands of the content signal" in combination with the elements of claims 1 and 2.

Claims 2, 5-7, 11-12, 14-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,373,960 to Conover in view of 6,898,706 to Venkatesan et al. ("Venkatesan").

Regarding claim 2, Venketesan does not redress the deficiencies in the teachings of Conover because the location of the watermark is specified by a single point. Therefore, it also does not teach varying the orientation of the watermark by changing the pattern to which message elements are mapped as claimed.

Claims 11-12 and 14 are patentable for at least the reasons provided above for claim 10. Regarding claims 12 and 14, the applied art does not teach "the orientation specifies a randomly selected pattern" in combination with the other elements of these claims.

The cited art fails to teach all of the elements of new claims 21-27. Claims 21-23 are dependent on claim 1 and further specify how the receiver selects the orientation, which is defined in claim 1. Claims 24-27 recited novel methods of generating the orientation of forensic digital watermarks, where the orientation specifies a mapping of elements of the message to a pattern of samples in the media content signal. None of the applied references, whether considered alone in combination, teach all of the elements of these claims.

In view of the above, the claims are allowable over the applied prior art.

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Respectfully submitted,

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